

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	X
	:
UNITED STATES OF AMERICA,	:
	:
Plaintiff,	: ECF CASE
	: 12 Cr. 125 (JSR)
	:
vs.	:
	:
DOUG WHITMAN,	:
	:
Defendant.	:
	:
-----	X

**NOTICE OF DEFENDANT DOUGLAS F. WHITMAN'S MOTION IN LIMINE
FOR A RULING AND JURY INSTRUCTION CONCERNING
THE LEGALITY OF FINANCIAL "CHECKS"**

PLEASE TAKE NOTICE that the undersigned, on behalf of defendant Douglas F. Whitman, will move this Court before the Honorable Jed S. Rakoff, at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York, at 5:30 p.m. on July 25, 2012, for a ruling and jury instruction concerning the legality of financial "checks." The grounds for this motion are more fully set forth in the accompanying Memorandum of Law.

PLEASE TAKE FURTHER NOTICE that the Government shall serve and file any opposition papers on or before July 23, 2012.

Dated: July 16, 2012

Respectfully submitted,

s/ David L. Anderson

David L. Anderson
(dlanderson@sidley.com)
(Admitted *pro hac vice*)
SIDLEY AUSTIN LLP
555 California Street
San Francisco, CA
(415) 772-1200
(415) 772-7400 (fax)

David M. Rody
(drody@sidley.com)
SIDLEY AUSTIN LLP
787 Seventh Avenue
New York, New York 10019
(212) 839-5300
(212) 839-5599 (fax)

Bradford A. Berenson
(bberenson@sidley.com)
(Admitted *pro hac vice*)
SIDLEY AUSTIN LLP
1501 K Street, N.W.
Washington, D.C. 20005
(202) 736-8000
(202) 736-8711 (fax)

Attorneys for Douglas F. Whitman

CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of July, 2012, I caused a true and correct copy of (1) Notice of Defendant Douglas F. Whitman's Motion in Limine for a Ruling and Jury Instruction Concerning the Legality of Financial "Checks"; (2) Memorandum of Law in Support of Defendant Douglas F. Whitman's Motion in Limine for a Ruling and Jury Instruction Concerning the Legality of Financial "Checks"; and (3) a Declaration of David L. Anderson in Support of Defendant Douglas F. Whitman's Motion in Limine for a Ruling and Jury Instruction Concerning the Legality of Financial "Checks", and accompanying exhibits; to be served via ECF filing notification on the following counsel of record:

Jillian Berman, AUSA
Christopher LaVigne, AUSA
United States Attorney's Office
Southern District of New York
One Saint Andrew's Plaza
New York, NY 10007

Dated: July 16, 2012

/s/ David L. Anderson

David L. Anderson
(dlanderson@sidley.com)
(Admitted *pro hac vice*)
SIDLEY AUSTIN LLP
555 California Street
San Francisco, CA
(415) 772-1200
(415) 772-7400 (fax)

Attorneys for Douglas F. Whitman